

Minutes of a Special Meeting of The Common Council of The Town of Clarkdale
Held on Tuesday, July 22, 2003, in the
Basement Meeting Room of the Clarkdale Memorial Library, Clarkdale, Arizona.

A Special meeting of the Common Council of the Town of Clarkdale was held on Tuesday, July 22, 2003 at 6:00 p.m. in the Basement Meeting Room of the Clark Memorial Library.

Town Council:

Mayor	Michael Bluff (absent)
Vice Mayor	Ellie Bauer
Councilmember	David Leibforth (absent)
	Rex Williams
	Tom Groom

Staff:

Town Manager	Gayle Mabery
Town Clerk	Joyce Driscoll
Planning Director	Lyle Richardson
Acting Police Chief	Pat Haynie
Admin. Assistant	Charlotte Hawken

Others in attendance: Robyn Prud'homme-Bauer, Guinda Reeves, James and Mary Ann Schulz, Jerry Wiley, Crystal and Michael Turner.

CALL TO ORDER - Vice Mayor Bauer called the meeting to order at 6:00 p.m. and noted that Mayor Bluff and Councilmember Leibforth were absent.

PUBLIC COMMENT - *Jerry Wiley*, 520 Todd Circle, noted that the June 30 edition of the Arizona Republic stated that impact fees are on the rise. Mr. Wiley stated he has long been an advocate of more town parks, but that increases in the Town's park funding does not keep up with increases in the costs of developing parks. He stated the Town needs a park on the mountain side of 89A, where there currently are no parks.

CONSENT AGENDA - Vice Mayor Bauer pulled Items A and C.

Item A - Town Manager Mabery stated the Town has municipal liability insurance through the Arizona Municipal Risk Retention Pool. She stated that lawsuits regarding land use issues, such as zoning, are increasing in Arizona and in general. She stated the Town saw substantial benefit when the Pool became available and the Town has not

gone out to bid since then. She stated about 70 out of 86 incorporated municipalities in the state are in the pool.

Item C - Vice Mayor Bauer noted National Night Out will be on August 5 at 6 p.m. at the pool.

Without objection the Council approved Consent Agenda items A, B and C.

A. **Liability Coverage** - Approval to purchase Municipal Land Use Liability Coverage through Arizona Municipal Risk Retention Pool.

B. **Award Agreement** - Approval an Award Agreement from Arizona Department of Public Safety accepting a Criminal Justice Enhancement Funding grant for burglary prevention.

C. **Proclamation** - Approval of a proclamation declaring August 5, 2003 as National Night Out in Clarkdale.

PUBLIC HEARING - A hearing to obtain public input on the final proposed budget for fiscal year 2003-2004. Vice Mayor Bauer read the staff report and opened the public hearing. Town Manager Mabery noted that large amounts in the budget anticipate wastewater and water projects which may not be completed in the current fiscal year. Offers have been made to three water companies. Having the amounts in the budget means that, if those offers are accepted, the money can be spent.

Jerry Wiley asked if voters had approved the capital expenditures for the wastewater and water projects.

Town Manager Mabery responded that the Town had the voters authorization to be in the water utility business and that the type of funding determines the need for a public vote, the same as for wastewater projects.

Vice Mayor Bauer closed the public hearing.

PUBLIC HEARING - A hearing to obtain public input on the proposed property tax levy for fiscal year 2003-2004. Town Manager Mabery noted that this public hearing was to give the public an opportunity to comment on the proposed 1.1384 per \$100 valuation tax levy (rate). She noted that property owners may see an increase in their tax with a reduced rate due to an increase in the value of their property. Vice Mayor Bauer opened the public hearing. There were no comments and Vice Mayor Bauer closed the public hearing.

PUBLIC HEARING - A hearing to obtain public input, per Truth in Taxation requirements, regarding the proposed property tax revenue increase fiscal year 2003-2004. Vice Mayor Bauer opened the public hearing. Town Manager Mabery clarified that the amount of tax the Town is receiving is increasing, although the levy or rate is going down because property valuations are increasing. Jerry Wiley noted he does not trust the State of Arizona in its valuations. Vice Mayor Bauer closed the public hearing.

TRUTH IN TAXATION - Consideration of the Truth in Taxation proposed property tax revenue increase for fiscal year 2003-2004. Councilmember Groom moved to approve the Truth in Taxation increase in property tax revenue for fiscal year 2004-04. Councilmember Williams seconded and Town Clerk Driscoll conducted a roll call vote: Vice Mayor Bauer, yes; Councilmember Groom, yes; Councilmember Williams, yes.

RESOLUTION - Consideration of resolution adopting the final proposed budget for fiscal year 2003-2004. Councilmember Williams moved to adopt Resolution #1076 for the final budget for fiscal year 2003-2004 for the Town of Clarkdale. Councilmember Groom seconded and the motion passed unanimously.

Nevertheless, I find that I can't support it in this version because of a serious omission. Commercial/Industrial development in a small community such as Clarkdale does not take place in

RESOLUTION - Consideration of a resolution making the document entitled "Section 17. W. Site Plan and Design Review Process" a public record. Vice Mayor Bauer stated she would like to make the change of adding yes or no check boxes to the Table 1 checklist regarding whether a neighborhood meeting was held. Planning Director Richardson stated it might be better added to the application. He commended the Planning Commission, Design Review Board and Planner II Steven Brown for their work on this document. Councilmember Williams questioned the lack of deadlines for outside agencies. Planning Director Richardson stated he intends for the process to move along and the administrative procedure will have built in safeguards in the form of request memos regarding timeliness to outside agencies. He stated that any request for more time to review will be accompanied by an expected completion date. Councilmember Williams moved to adopt Resolution #1077 making the document entitled "Section 17.W Site Plan and Design Review Process" a public record. Councilmember Groom seconded. Vice Mayor Bauer read the following document:

Dissent by Council member David W. Leibforth on the proposed Clarkdale Town Site Plan Review.
I intend this written statement to be included in the Council Packet prepared for the 22 July 2003 Council Meeting so that it will be included in the permanent record of that meeting. I will be absent from the 22 July Council Meeting because I am attending a conference in San Antonio, Tx.

I believe the *Site Plan Review Process* to be presented at the 22 July 2003 Clarkdale Town Council Meeting is basically a sound document which represents the hard work of the Town staff and the Planning & Zoning Commission, with input from the Council.

a vacuum. Every citizen, particularly those in closest proximity to the proposed development, must have the right to be informed of such development plans early in the site review process. The public has an interest in how this community develops, and it has

a right to express its opinions, ask questions and garner information.

I believe public notice should be mandatory. The developer will then have the opportunity to interact with the people of the community. If concerns are expressed, the developer has the option of addressing these in his planning. Putting concerns to rest early on in the process is to the developer's benefit because doing so will minimize any potential problems or delays.

Keeping public participation to a minimum is not in the public's interest or that of the developer.

Although the Design Review Committee meetings are public, this step comes late in the process, and the public is unlikely to have much opportunity to be heard.

We are a community and how we develop is a matter of communal concern. To permit major development to occur while declaring the public's interest irrelevant is not consistent with a sense of community. Because this document does not **require** public notice of intended commercial/industrial development, I respectfully decline to support it. David Leibforth, 15 July 2003.

The motion passed unanimously.

ORDINANCE - Consideration of an ordinance adopting changes to the Zoning Code by adopting by reference that document entitled "Section 17. W. Site Plan and Design Review Process" and repealing conflicting ordinances. Councilmember Williams moved to adopt Ordinance # 251 adopting changes to the Zoning Code by adopting by reference that document entitled "Section 17. W. Site Plan and Design Review Process" and repealing conflicting ordinances. Councilmember Groom seconded and the motion passed unanimously.

ADJOURNMENT - With no further business before the Council, and without objection, Vice Mayor Bauer adjourned the meeting at 6:58 p.m.

APPROVED:

Ellie Bauer, Vice Mayor

SUBMITTED:

Charlotte Hawken, Admin. Assistant

ATTESTED:

Joyce Driscoll, Town Clerk